



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

NOV 25 2015

Mr. Randy R. Casey, Director
Division of Mined Land Reclamation
Commonwealth of Virginia
Department of Mines, Minerals and Energy
P.O. Drawer 900
Big Stone Gap, VA 24219

Re: NPDES Permit No. VA0081401
Red River Coal Company, Inc. - North Fox Gap Surface Mine
South Fork Pound River Watershed, Wise County

Dear Mr. Casey:

In accordance with Section 402(d) of the Clean Water Act, 40 C.F.R. § 123.44, and the Memoranda of Agreement (MOA) governing the implementation of the National Pollutant Discharge Elimination System (NPDES) program in Virginia, EPA has reviewed the above referenced National Pollutant Discharge Elimination System (NPDES) proposed permit received from your office on October 30, 2015. This letter serves as notification of EPA's general objection, pursuant to 40 C.F.R. 123.44(b)(1).

The North Fox Gap Surface Mine is an existing 694.12 acre surface mining operation discharging treated wastewater and storm water runoff into South Fork Pound River Watershed. Pursuant to 40 C.F.R. § 123.44(b)(2) and the MOA, this notification serves to allow EPA the full 90-day review period, which will expire on January 28, 2016. EPA requires this additional time due to the complexity of the proposed permit and to discuss with the Virginia Department of Mines, Minerals and Energy (VADMME) how the proposed permit requirements are in conformance with the South Fork Pound River approved TMDL as required in 40 C.F.R. 122.44(d)(1)(vii)(B).

If you have any questions concerning this matter, please contact Brian Trulear at (215) 814-5723.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon M. Capacasa", is written over a circular stamp.

Jon M. Capacasa, Director
Water Protection Division

cc: James M. Thomas, Red River Coal Company, Inc.